

**REMARKS**

Applicant submits a Petition and Fee for a One-Month Extension of Time.

Claims 1-12 are all the claims presently pending in the application. Claims 1, 3, 5, 7, 9, and 10 have been amended to more particularly define the invention and to conform the claims to U.S. practice.

It is noted that the claim amendments are made only for more particularly pointing out the invention, and not for distinguishing the invention over the prior art, narrowing the claims or for any statutory requirements of patentability. Further, Applicant specifically states that no amendment to any claim herein should be construed as a disclaimer of any interest in or right to an equivalent of any element or feature of the amended claim.

Claims 9-12 stand rejected under 35 U.S.C. § 101 as being directed to non-statutory subject matter. Claims 9 and 10 have been amended to address this concern

Claims 1-12, all of the claims currently pending, stand rejected or being anticipated by U.S. Pat. No. 6,868,391 to Hultgren. This rejection respectfully is traversed.

**I. THE CLAIMED INVENTION**

The claimed invention recited in Claim 1 is directed to a method of electronically settling a purchase price to be paid by a purchaser in a store. The electronic payment system includes a mobile station held and operated by the purchaser, a personal information input terminal in the store, and a payment center.

The method includes, at the personal information input terminal, notifying the payment center, by the store personal information input terminal through a public mobile communication network, of the purchase price, a mobile subscriber number of the mobile station held by the purchaser, and personal information for identifying the purchaser to request payment processing. The method further includes, at the payment center, comparing the personal information notified by the store personal information input terminal with personal information stored in the payment center to determine whether the purchaser is eligible for the electronic payment. At the mobile station, if the purchaser is qualified for the electronic payment, the mobile station held and operated by the purchaser is notified of the purchase price with the mobile subscriber number through the public mobile communication

network to request the purchaser to verify the purchase price.

When the purchase price is verified, the payment center is notified, and a home location register is notified using the public mobile communication network by the payment center of the purchase price to request update of accounting information in order to collect the verified purchase price together with a charge for the mobile station. The store is notified by the payment center that the electronic payment has been completed after the request for update of the accounting information.

Claim 3 recites an electronic payment system for electronically settling a purchase price to be paid by a purchaser in a store. The system includes a mobile station held by the purchaser, and a personal information input terminal in the store for notifying the purchase price, a mobile subscriber number of the mobile station, and personal information for identifying the purchaser from the store personal information input terminal through a public mobile communication network to request payment processing. The system also includes a payment center for comparing the personal information notified by the personal information input terminal with personal information stored in the payment center to determine whether the purchaser is eligible for the electronic payment. The system is arranged to carry out the method of claim 1. That is, if the purchaser is eligible for the electronic payment, the payment center also notifies the mobile station of the purchase price with the mobile subscriber number through the public mobile communication network to request the purchaser to verify the purchase price. When the payment center receives a notification from the mobile station that the purchase price is verified, the payment center notifies a home location register over the public mobile communication network of the purchase price to request update of accounting information in order to collect the verified purchase price together with a charge for the mobile station, and then notifies the store that the electronic payment has been completed.

Claim 5 recites a payment center device for electronically settling a purchase price to be paid by a purchaser in a store. The device includes a personal information database for storing personal information to identify the purchaser, and comparing means for receiving and comparing personal information notified by the store with the personal information stored in the personal information database to determine whether the purchaser is eligible for the

electronic payment. The device also includes bill format converting means for converting information on the purchase price into accounting information in a format unique to a public mobile communication network connectable to a mobile station held by the purchaser, and payment processing control means for notifying the mobile station of the purchase price through the public mobile communication network to request the purchaser to verify the purchase price if the comparing means determines that the purchaser is eligible for the electronic payment in response to notification of the purchase price, a mobile subscriber number of the mobile station, and the personal information from the store through the public mobile communication network to request payment processing. Upon receipt of notification from the mobile station that the purchase price is verified, the payment processing control notifies a home location register over the public mobile communication network of the purchase price to request update of accounting information in order to collect the verified purchase price together with a charge for the mobile station. The purchase price is converted by the bill format converting means into accounting information in the format unique to the public mobile communication network. Then the payment processing control means notifies the store that the electronic payment is completed.

Claim 7 recites a personal information input terminal for requesting payment of a payment center for electronically settling a purchase price to be paid by a purchaser in the store. The terminal includes point-of-sale interface means for receiving notification of the purchase price from a point-of-sale terminal to which the purchase price is entered, and entry means for entering a mobile subscriber number of a mobile station held by the purchaser. The personal information input terminal also features personal information detecting means for detecting personal information for identifying the purchaser, and control means for notifying the payment center through a public mobile communication network connectable to the mobile station of the purchase price received from the point-of-sale terminal through the point-of-sale interface means, the mobile subscriber number entered through the entry means, and the personal information detected by the personal information detecting means to request payment processing.

Claim 9 recites a computer-readable medium encoded computer program for enabling a computer to perform electronic payment of a purchase price to be paid by a purchaser in the

store. The program has a first set of instructions for comparing personal information notified by the store with personal information stored in a database to determine whether the purchaser is qualified for the electronic payment. A second set of instructions is provided for converting information on the purchase price into accounting information in a format unique to a public mobile communication network connectable to a mobile station held by the purchaser.

A third set of instructions is for notifying the mobile station of the purchase price through the public mobile communication network to request the purchaser to verify the purchase price if the purchaser is qualified for the electronic payment in response to notification of the purchase price, a mobile subscriber number of the mobile station, and the personal information from the store through the public mobile communication network to request payment processing. Upon receipt of notification from the mobile station that the purchase price is verified, the instructions include notifying a home location register over the public mobile communication network of the purchase price to request update of accounting information in order to collect the verified purchase price together with a charge for the mobile station, the purchase price being converted into accounting information in a format unique to the public mobile communication network. After the request for update of the accounting information, the instructions provide for notifying the store that the electronic payment is completed.

Claim 10 recites a computer-readable medium encoded with a computer program for enabling a computer to perform a payment request to an electronic payment center for electronically settling a purchase price to be paid by a purchaser in a store. The program includes a first set of instructions for receiving information input to a point-of-sale terminal to extract the purchase price from the information, and a second set of instructions for detecting an input a mobile subscriber number of a mobile station held by the purchaser. A third set of instructions for detecting input personal information for identifying the purchaser, and a fourth set of instructions provides for notifying the payment center through a public mobile communication network connectable to the mobile station of the purchase price, the mobile subscriber number, and the personal information to request payment processing.

## II. THE PRIOR ART REJECTION

### The Hultgren Reference

The Office action contains an allegation that Hultgren teaches the claimed invention. Applicant submits, however, that there are elements of the claimed invention which are neither taught nor suggested by Hultgren.

Regarding claims 1, 3, 5, and 10 in particular, Hultgren discloses payment systems and methods in which personal information and payment data are transmitted by the purchaser to the payment center. Hultgren does not disclose a system or method that includes notifying the payment center by the store personal information input terminal of the purchase price, mobile subscriber number, and purchaser identification information.

Also, in the systems and methods disclosed by Hultgren the purchaser mobile station notifies the payment center of the price. Thus, Hultgren teaches systems and methods that operate in a manner directly opposite to those of the present invention, in which the payment center notifies the purchaser mobile station of the price.

With respect to claims 7 and 9, Hultgren discloses systems in which personal information is transmitted to a payment center using the purchaser's cell phone, for example. The inventions recited in claims 7 and 9 rely on an information terminal in the store. The information terminal sends to the payment center information received from a point-of-sale terminal through a point-of-sale interface. The terminal also receives information about a purchaser's mobile station. Thus, while Hultgren relies on a purchaser's mobile station to transmit information to a payment center, claims 7 and 9 relate to an information terminal that transmits information received from a purchaser's mobile station to a payment center.

For these and other reasons, Applicant submits that there are elements of the claimed invention that are not taught or suggested by Hultgren. Therefore, the Examiner is respectfully requested to withdraw this rejection.

## III. FORMAL MATTERS AND CONCLUSION

In response to the rejection of claims 9-12 under 35 U.S.C. § 101, claims 9 and 10 have been amended in a manner believed fully responsive to all points raised by the Examiner.

In response to the rejection of claims 1-12 as being anticipated under 35 U.S.C. §

Serial No. 09/921,978  
Docket No. NEC01P145-RIa  
Ref. No. WAK.092

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102(e) by Hultgren, Applicant has traversed the rejection as set forth above.

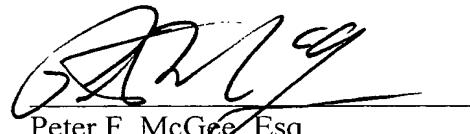
In view of the foregoing, Applicant submits that claims 1-12, all the claims presently pending in the application, are patentably distinct over the prior art of record and are in condition for allowance. The Examiner is respectfully requested to pass the above application to issue at the earliest possible time.

Should the Examiner find the application to be other than in condition for allowance, the Examiner is requested to contact the undersigned at the local telephone number listed below to discuss any other changes deemed necessary in a telephonic or personal interview.

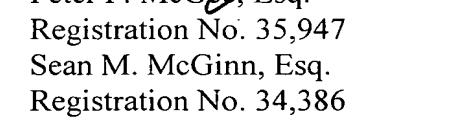
The Commissioner is hereby authorized to charge any deficiency in fees or to credit any overpayment in fees to Attorney's Deposit Account No. 50-0481.

Respectfully Submitted,

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